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February 23, 2021

Hon. Robert D. Drain
Judge of the United States Bankruptcy Court
Southern District of New York
300 Quarropos Street - Suite 147
While Plains, New York 10601

Re: Mosdos Chofetz Chaim, Inc.
Case Number: Chapter 11 12-2361-rdd
Adversary Proceeding: 20-08949-rdd

Dear Judge Drain:

I represent Mosdos Chofetz Chaim, Inc. as one of the Plaintiffs in the above referenced adversary proceeding.

I am writing this letter to request that the Court adjourn the trial (the "Trial") of the above Adversary Proceeding without date at this time, to be rescheduled after the Court resolves the pending motion before it for Reconsideration or Reargument (the "Motion"). I endeavored to obtain the consent of Michael Levine Esq. to this request; he declined to consent.

In support of this request I respectfully call the attention of the Court to the fact that the Motion seeks Reconsideration or Reargument from the Order of this Court dated January 27, 2021 [DE 101], which precluded all plaintiffs from introducing evidence at the Trial, and also seeks a stay of the Trial if the Motion is not decided prior to the scheduled date of the Trial or if all of the relief sought in the Motion is not granted prior to the date of the Trial.

The Motion was timely filed in this Court on February 8, 2021. On February 10, 2021 Michael Levine Esq. advised the court that he would be filing opposition to the Motion. Yesterday, in his response to my request to him that he

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consent to adjourn the trial date, Michael Levine, Esquire, again stated that he will be filing opposition to the Motion. Of course, as at the moment no opposition papers have been filed and the Court has not set a return date for the Motion.

I respectfully submit that as long as the issues raised by the Motion are undecided, proceeding with the Trial would not serve the best interests of judicial economy and efficiency. This is particularly germane where the issues raised by the Motion assert a complete denial of due process to my client and where case law holds that the prior proceeding held by the Court is effectively a nullity.

Respectfully submitted:

AVROM R. VANN, P.C.

S/ Avrom R. Vann

By: _____
Avrom R. Vann, Esquire

ARV: dat
cc: All Counsel of Record
Via Electronic Filing